

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

SALLY ANN JOHNSON
Defendant.

Criminal No. 17-10265-DJC

Government's Request for Extension of Time to Respond to Defendant's Motions Requesting
Immediate Release to Home Confinement or Half-Way House

The government respectfully requests an extension of time—up to and including July 23, 2019, to respond to Defendant Sally Ann Johnson's two motions, essentially asking the Court, pursuant to the First Step Act, to order her immediate placement in either a halfway house or on home confinement. [D. 53, 55]. In support, the government states the following:

1. In January 2018, Johnson was sentenced to 26 months' imprisonment following her guilty plea to an Information charging her with attempting to interfere with the administration of the internal revenue laws, in violation of 26 U.S.C. § 7212. She is currently scheduled to be released on January 16, 2020, and the Bureau of Prisons ("BOP") has determined that her home detention eligibility date is October 30, 2019.

2. Johnson has moved *pro se*, pursuant to the First Step Act, to order her immediate placement on home confinement or in a half-way house, contending that this is appropriate either because the First Step Act has increased the time available for pre-release custody or because she should get credit, and an accompanying reduction in her sentence, pursuant to 18 U.S.C. § 3582(c), for time she spent on release on GPS monitoring after her guilty plea but prior to reporting for her sentence.

3. The government intends to oppose Johnson's motions for, among other things, failure to exhaust her administrative remedies and has requested some additional documentation from BOP related to her efforts, or lack thereof, to obtain relief. This documentation is expected to be forthcoming in the next few days.

WHEREFORE, the government requests that it be permitted to respond to both of Johnson's motions on or before July 23, 2019.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Sandra S. Bower
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CERTIFICATE OF SERVICE

I hereby certify that a copy of this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and a paper copy sent to:

Sally Ann Johnson
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FPC Alderson
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/s/ Sandra S. Bower
Sandra S. Bower
Assistant United States Attorney

Date: July 16, 2019